

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL L. BUESGENS,

No. C-08-5710 MMC

Plaintiff,

**ORDER DENYING PLAINTIFF'S MOTION  
FOR JUDICIAL NOTICE**

v.

BEVERLY HART, et al.,

Defendants

The Court is in receipt of plaintiff's "Motion for Judicial Notice of Adjudicative Facts Federal Rules of Evidence - Rule 201(d)," filed March 25, 2009, by which plaintiff requests the Court take judicial notice of three "facts" that allegedly pertain to an ongoing proceeding plaintiff instituted against the Equal Employment Opportunity Commission ("EEOC") before the United States Merit System Protection Board.

The motion is hereby DENIED, because the instant case is closed. Further, even assuming there is some type of controversy between plaintiff and the EEOC regarding one or more of the three "facts", this Court lacks jurisdiction to review such controversy in the context of the instant closed case.

**IT IS SO ORDERED.**

Dated: March 27, 2009

  
MAXINE M. CHESNEY  
United States District Judge